

REMARKS

Independent claim 4 has been amended to recite a method of synthesizing a compound. Claim 4 has also been amended to recite “first” and “second” compounds. Applicants have also correspondingly amended dependent claims 5 and 7, which each depend on claim 4.

Applicants have amended independent claim 31 to recite a method of synthesizing a nucleotide. Claim 31 has also been amended to recite well as first and second compounds. Applicants have also amended dependent claims 32 and 33, which each depend on claim 31, in accordance with the amendments made to claim 31.

No new matter has been added. Claims 4, 5, 7, and 31-33 are now pending.

Rejections under 35 U.S.C. §112, ¶2

Claims 4, 5, 7, and 31-33 have been rejected under 35 U.S.C. §112, ¶2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

For the purpose of expediting the patent application process, Applicants have rewritten the claims as suggested by the Patent Office. In view of these amendments, Applicants respectfully request that the rejection of claims 4, 5, 7, and 31-33 under 35 U.S.C. §112, ¶2 be withdrawn.

Notwithstanding these amendments, for purposes of completing the record and relevant to potential future claims submitted in this or a continuing application, Applicants submit the following remarks:

At the outset, Applicants disagree with the statement by the Patent Office that a composition necessarily includes at least two agents. It is believed that one of ordinary skill in the art would recognize a composition as including one or any number of agents.

With respect to claim 4, it should be noted that a chemical reaction may produce more than one product, thus, the recitation of “reacting a species with a compound to form a composition” is not indefinite. Additionally, it is believed that the recitation of “compound” in claim 4 is not indefinite, as one of ordinary skill in the art would understand that the compound is necessarily a compound that reacts in such a manner as to produce the final structure shown in claim 4.

Regarding claim 31, it should be noted that the final compound shown in claim 31 (prior to amendment herein) is an amine, as is indicated by the presence of the NR¹R² moiety within the structure.

CONCLUSION

In view of the foregoing remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' representatives at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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